

N° 1975.

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**UNION ÉCONOMIQUE  
BELGO-LUXEMBOURGEOISE  
ET CHINE**

Traité préliminaire d'amitié et de commerce, avec échange de notes et déclarations y relatifs. Nankin, le 22 novembre 1928.

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**ECONOMIC UNION OF  
BELGIUM AND LUXEMBURG  
AND CHINA**

Preliminary Treaty of Amity and Commerce, with Exchange of Notes and Declarations relating thereto. Nanking, November 22, 1928.

No. 1975. — PRELIMINARY TREATY<sup>1</sup> OF AMITY AND COMMERCE BETWEEN THE ECONOMIC UNION OF BELGIUM AND LUXEMBURG AND THE REPUBLIC OF CHINA. SIGNED AT NANKING, NOVEMBER 22, 1928.

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*French, English and Chinese official texts communicated by the Belgian Minister for Foreign Affairs. The registration of this Treaty took place March 13, 1929.*

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HIS MAJESTY THE KING OF THE BELGIANS, acting in his name and in the name of HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBURG, in virtue of existing agreements, and THE NATIONAL GOVERNMENT OF THE REPUBLIC OF CHINA, being mutually animated by a desire to further strengthen the ties of friendship already happily existing between the Union of Belgium and Luxemburg and China, have decided to conclude a Preliminary Treaty of Amity and Commerce, and have, for this purpose, named as their plenipotentiaries, that is to say :

HIS MAJESTY THE KING OF THE BELGIANS :

Baron J. GUILLAUME, Chargé d'Affaires *ad interim* of Belgium in China ;

HIS EXCELLENCY THE PRESIDENT OF THE NATIONAL GOVERNMENT OF THE REPUBLIC OF CHINA :

Dr. Chengting T. WANG, Minister for Foreign Affairs of the National Government of the Republic of China ;

Who, having exchanged their full powers, found to be in due and proper form, have agreed upon and concluded the following Articles :

*Article 1.*

The two High Contracting Parties recognize that, in the matter of customs and all related matters, they are on a footing of perfect equality, and on the basis of this principle they agree that such matters shall be regulated exclusively by their respective national laws.

It is further agreed that, in respect of all questions of customs as well as all questions relating thereto, neither of the two High Contracting Parties shall be subject, in the territory of the other, to a treatment less favourable than that accorded to any other country.

In no case shall the nationals of one of the High Contracting Parties be compelled to pay, in the territory of the other, with respect to the importation as well as exportation of merchandise, customs dues, transit taxes, or taxes of any other kind other or higher than those which are paid by the nationals or the nationals of any other country.

*Article 2.*

The nationals of each of the two High Contracting Parties shall be subject, in the territory of the other Party, to the laws and the jurisdiction of the law courts of that Party.

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<sup>1</sup> The notification of the deposit of ratifications took place February 28, 1929.

*Article 3.*

The two High Contracting Parties shall as soon as possible enter into negotiations with a view to the conclusion of a Treaty of Commerce and Navigation based upon the principle of reciprocity and equality of treatment.

*Article 4.*

The present Treaty is written in French, Chinese and English ; in case of any difference of interpretation, the English text shall be held to be authoritative.

*Article 5.*

The present Treaty shall be ratified as soon as possible and the ratifications shall be exchanged at Nankin. It shall come into force on the day on which the two Governments shall have notified each other that the ratification has been effected.

In testimony whereof, the respective Plenipotentiaries have signed the present Treaty in duplicate and have affixed their seals thereto.

Done at Nankin, this twenty-second day of November, nineteen hundred and twenty-eight, corresponding to the twenty-second day of the eleventh month of the seventeenth year of the Republic of China.

(Signed) Baron J. GUILLAUME,  
*Plenipotentiary and Chargé d'Affaires  
ad interim of Belgium in China.*  
(Personal seal of Baron J. Guillaume.)

(Signed) Chengting T. WANG,  
*Plenipotentiary and Minister for Foreign  
Affairs of the National Government  
of the Republic of China.*  
(Personal seal of Dr Chengting T. Wang.)

## ANNEX I.

MINISTRY  
OF FOREIGN AFFAIRS.

NANKING, *November 22, 1928.*

MONSIEUR LE CHARGÉ D'AFFAIRES,

In the name of the National Government of the Republic of China, I have the honour to state that Article 2 of the Treaty, signed this day between China and Belgium, shall be understood to begin to be operative on January 1st, 1930. Before such date the Chinese Government will make detailed arrangements with the Belgian Government for the assumption by China of jurisdiction over Belgian subjects. Failing such arrangements on the said date, Belgian subjects shall thereafter be amenable to Chinese laws and jurisdiction as soon as the majority of the Powers now possessing extraterritorial privileges in China shall have agreed to relinquish them.

(Signed) Chengting T. WANG.

Baron J. Guillaume,  
Belgian Chargé d'Affaires *a. i.*  
in China,  
Nanking.

NANKING, *November 22, 1928.*

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of Your Excellency's Note of today's date, which reads as follows : —

“ In the name of the National Government of the Republic of China, I have the honour to state that Article 2 of the Treaty, signed this day between China and Belgium, shall be understood to begin to be operative on January 1st, 1930. Before such date the Chinese Government will make detailed arrangements with the Belgian Government for the assumption by China of jurisdiction over Belgian subjects. Failing such arrangements on the said date, Belgian subjects shall thereafter be amenable to Chinese laws and jurisdiction as soon as the majority of the Powers now possessing extraterritorial privileges in China shall have agreed to relinquish them.”

I have the honour to express to Your Excellency the agreement of His Majesty's Government on this subject.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

*(Signed)* Baron J. GUILLAUME.

His Excellency  
Dr. Chengting T. Wang,  
Minister for Foreign Affairs,  
Nanking.

#### ANNEXE II.

#### DECLARATION.

I have the honour to declare that on or before January 1st, 1930, the Civil Code and the Commercial Code, in addition to other Codes and laws now in force, will be duly promulgated by the National Government of the Republic of China.

*(Signed)* Chengting T. WANG.

#### ANNEX III.

#### JOINT DECLARATION.

The Chinese and Belgian Governments declare that it did not appear necessary to insert in the Sino-Belgian Treaty signed this day a clause guaranteeing to the Belgian and Luxemburg subjects in China and to the Chinese citizens in Belgium and Luxemburg the application of their respective national laws relating to their personal status, inasmuch as the High Contracting Parties recognize in a general way this principle which is based on Private International Law, except in the case where such laws will be contrary to the public order of the country to apply them.

*(Signed)* Baron J. GUILLAUME.

*(Signed)* Chengting T. WANG.

## ANNEX IV.

## DECLARATION.

In the name of the National Government of the Republic of China I have the honour to declare that, when Belgian subjects in China cease to enjoy the privileges of consular jurisdiction and when the relations between the two countries are on a footing of perfect equality, the Chinese Government, in view of the fact that Chinese citizens are permitted to live and trade and to acquire property in any part of the territories of Belgian and Luxemburg, will permit Belgian and Luxemburg subjects to enjoy the same rights in China, subject to the limitation to be prescribed in its laws and regulations.

*(Signed)* Chengting T. WANG.

## ANNEX V.

## DECLARATION.

In the name of my Government I have the honour to declare that Belgian and Luxemburg subjects in China shall pay such taxes as may be prescribed in the laws and regulations duly promulgated by the Chinese Government, provided that the same taxes are paid by the nationals of all the Powers having treaty relations with China.

*(Signed)* Baron J. GUILLAUME.

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